

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

NEW MEXICO TOP ORGANICS—ULTRA HEALTH, INC.,
a New Mexico corporation,
JACOB R. CANDELARIA, on behalf of himself and all others similarly situated,
MATIAS TRUJILLO, as father and guardian of MT, a minor,
and on behalf of himself and all others similarly situated,
ERICA ROWLAND, on behalf of herself and all others similarly situated, and
ARIEL MCDUGAL, on behalf of herself and all others similarly situated,

Plaintiffs,

v.

22-cv-546 MV/LF

BLUE CROSS AND BLUE SHIELD OF NEW MEXICO,
PRESBYTERIAN HEALTH PLAN, INC.,
a New Mexico corporation, and
WESTERN SKY COMMUNITY CARE, INC.,
a New Mexico corporation,

Defendants.

ORDER OF REFERENCE

Defendants’ Motion to Disregard New Evidence and Arguments in Plaintiffs’ Reply in Support of Remand, or in the Alternative, for Leave to File a Surreply [Doc. 39] and Joint Motion for Oral Argument on Plaintiffs’ Second Motion to Remand [Doc. 49] are referred to Magistrate Judge Laura Fashing to conduct hearings, if warranted, including evidentiary hearings, and to perform any legal analysis required to recommend to the District Court an ultimate disposition. The Magistrate Judge shall submit to the District Judge assigned to this case an analysis, including findings of fact, if necessary, and recommended disposition, with copies provided to the parties. The parties shall be given the opportunity to object to the proposed findings, analysis and disposition as described in 28 U.S.C. Section 636(b)(1). Objections shall be filed within fourteen (14) days after being served with a copy of the proposed

disposition. A party waives the right to challenge a Magistrate Judge's findings and recommendation if the party does not file timely and specific objections. *See Martinez v. Barnhart*, 444 F.3d 1201, 1208 (10th Cir. 2006); *Soliz v. Chater*, 82 F.3d 373, 375 (10th Cir. 1996) (citation omitted).

A handwritten signature in black ink, appearing to read 'M. Yazquez', is written over a horizontal line.

MARTHA YAZQUEZ

Senior United States District Judge